



**FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD**

APPELLANT: Edward & Darlene Hanks
DOCKET NO.: 16-04985.001-R-1
PARCEL NO.: 10-2-16-09-00-000-013

The parties of record before the Property Tax Appeal Board are Edward & Darlene Hanks, the appellants, and the Madison County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **No Change** in the assessment of the property as established by the **Madison** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$20,280
IMPR.: \$87,240
TOTAL: \$107,520

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants timely filed the appeal from a decision of the Madison County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2016 tax year. The Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of the appeal.

Findings of Fact

The subject property consists of a part one-story and part two-story single-family dwelling of brick and frame exterior construction with 2,363 square feet of living area.¹ The dwelling was constructed in 2000. Features of the home include a full basement with 800 square feet of finished area, central air conditioning and garage areas totaling 945 square feet of building area. The property has a 2.35-acre site and is located in Edwardsville, Pin Oak Township, Madison County.

¹ The appellants reported a living area for the subject of 1,396 square feet as depicted on an internet print out from the Madison County Chief County Assessment Official's website. The board of review submitted a copy of the subject's property record card with a schematic drawing depicting the measurements of each story of the home which total 2,363 square feet of living area. The Board finds the board of review provided the better evidence of the subject's dwelling size.

The appellants contend overvaluation as the basis of the appeal. Furthermore, the Board finds that the appellants filed this appeal from a Notice of Final Decision issued by the Madison County Board of Review which raised the subject's total assessment from \$104,040 to \$107,520 due to the application of a Pin Oak Township equalization factor of 1.0334. The Notice further indicates that the equalized assessed value of the subject property reflects a market value of \$322,590 which would be \$136.52 per square foot of living area, including land.

In support of the overvaluation argument, the appellants submitted information on three comparable sales located within ½-mile of the subject property. The comparables were described as a two-story and two, 1.5-story dwellings that were 13 to 23 years old. Like the subject property, the appellants utilized the Madison County website information and reported that the homes range in size from 1,064 to 1,632 square feet of living area with full unfinished basements, central air conditioning, one or two fireplaces and garages ranging in size from 420 to 670 square feet of building area. The appellants reported the sales occurred between February 2009 and October 2012 for prices ranging from \$175,000 to \$235,000 or from \$115.97 to \$196.42 per square foot of living area, including land, as reported by the appellants.

Based on this evidence, the appellants requested a reduced total assessment of \$92,860 which would reflect a market value of approximately \$278,580 or \$117.89 per square foot of living area, including land.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total equalized assessment for the subject of \$107,520. The subject's equalized assessment reflects a market value of \$323,077 or \$136.72 per square foot of living area, land included, when using the 2016 three year average median level of assessment for Madison County of 33.28% as determined by the Illinois Department of Revenue.

In response to the appeal, the board of review submitted a memorandum which asserted that the three comparables presented by the appellants were "all 4-7 years old" in the year 2016.²

In support of its contention of the correct assessment the board of review submitted information on three comparable sales located from .1 of a mile to 4.4-miles from the subject property. The comparables consist of a two-story and two, part one-story and part two-story dwellings that were built between 1990 and 2006. The comparables range in size from 1,836 to 2,454 square feet of living area and feature full basements, one of which has finished area. Each comparable has central air conditioning, two comparables each have a fireplace and each of the comparables has a garage ranging in size from 650 to 868 square feet of building area. Comparable #3 also has a pool. The properties sold between September 2015 and December 2016 for prices ranging from \$305,000 to \$418,007 or from \$138.32 to \$190.63 per square foot of living area, including land.

² The Madison County website printouts which the appellants attached to their appeal reflect the following "year built" information: comparable #1 was built in 2004; comparable #2 was built in 1994; and comparable #3 was built in 1999.

Based on this evidence and argument, the board of review contended that the subject's estimated market value is below the range of the comparable sales presented by the board of review on a square foot basis.

Conclusion of Law

The appellants contend the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. 86 Ill.Admin.Code §1910.63(e). Proof of market value may consist of an appraisal of the subject property, a recent sale, comparable sales or construction costs. 86 Ill.Admin.Code §1910.65(c). The Board finds the appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted on this record.

The Property Tax Appeal Board has given little weight to the appellants' three sales occurring between February 2009 and October 2012 since these sales were too distant in time from the valuation date of January 1, 2016 to be valid indicators of the subject's estimated market value.

The Board has also given reduced weight to board of review comparable #2 due to the age of the dwelling having been built in 1990, particularly when the board of review criticized the appellants' comparables that were built in 1994 and 1999.

The Board finds the best evidence of market value to be board of review comparable sales #1 and #3, despite differences in location and/or that comparable #3 has a superior pool amenity which is not present at the subject property. These two most similar comparables sold in September and December 2015 for prices of \$305,000 and \$418,007 or for \$138.32 and \$170.34 per square foot of living area, including land. The subject's equalized assessment reflects a market value of \$323,077 or \$136.72 per square foot of living area, including land, which is below the best comparable sales in this record on a per-square-foot basis. Further examination of the evidence reveals that board of review comparable #1 is most similar to the subject, but for being slightly newer and lacking any finished basement area. After considering adjustments to board of review comparable #1 for these differences when compared to the subject, the Board finds a reduction in the subject's assessment is not justified.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code. Pursuant to Section 1910.50(d) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(d)) the proceeding before the Property Tax Appeal Board is terminated when the decision is rendered. The Property Tax Appeal Board does not require any motion or request for reconsideration.



Chairman



Member



Member

Member

Member

DISSENTING: _____

CERTIFICATION

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: November 20, 2018



Clerk of the Property Tax Appeal Board

IMPORTANT NOTICE

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing complaints with the Board of Review or after adjournment of the session of the Board of Review at which assessments for the subsequent year or years of the same general assessment period, as provided in Sections 9-125 through 9-225, are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for such subsequent year or years directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR OR YEARS. A separate petition and evidence must be filed for each of the remaining years of the general assessment period.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.

PARTIES OF RECORD

AGENCY

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